

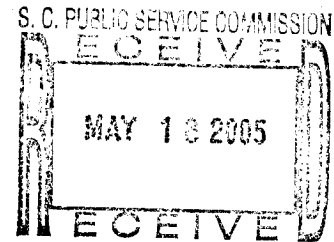
# ELLIS:LAWHORNE

John J. Pringle, Jr.  
Direct dial: 803/343-1270  
[jpringle@ellislawhorne.com](mailto:jpringle@ellislawhorne.com)

May 16, 2005

## VIA ELECTRONIC AND FIRST-CLASS MAIL SERVICE

The Honorable Charles L.A. Terreni  
Executive Director  
**South Carolina Public Service Commission**  
Post Office Drawer 11649  
Columbia, South Carolina 29211



RE: Joint Petition for Arbitration of NewSouth Communications, Corp.,  
NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III  
LLC, and Xspedius [Affiliates] of an Interconnection Agreement with  
BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the  
Communications Act of 1934, as Amended  
**Docket No. 2005-57-C, Our File No. 803-10208**

Dear Mr. Terreni:

Enclosed please find eleven (11) copies of the **Motion for Admission Pro Hac Vice of John J. Heitmann** and **Motion for Admission Pro Hac Vice of Garret R. Hargrave** for filing on behalf of the Joint Petitioners in the above-referenced docket. By copy of this letter, I am serving the originals of these documents, along with the requested filing fees with the Supreme Court and copying all parties of record with this document.

1/0 Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,

John J. Pringle, Jr.

JJP/cr

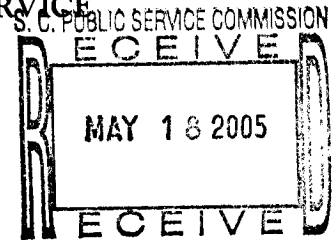
cc: Clerk of Court, Supreme Court of South Carolina (originals)  
John J. Heitmann, Esquire/Garret R. Hargrave, Esquire  
all parties of record

Enclosures

**BEFORE THE  
SOUTH CAROLINA PUBLIC SERVICE COMMISSION  
DOCKET NO. 2005-57-C**

In the Matter of )  
)  
Joint Petition for Arbitration of )  
NewSouth Communications, Corp., )  
NuVox Communications, Inc., )  
KMC Telecom V, Inc., )  
KMC Telecom III LLC, and )  
Xspedius [Affiliates] of an )  
Interconnection Agreement with )  
BellSouth Telecommunications, Inc. )  
Pursuant to Section 252(b) of the )  
Communications Act of 1934, )  
as Amended )

**CERTIFICATE OF SERVICE**



This is to certify that I have caused to be served this day, one (1) copy of the **Testimony of** by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

Patrick Turner, Esquire  
**BellSouth Telecommunications, Inc.**  
P.O. Box 752  
Columbia SC 29202

Office of Regulatory Staff  
Legal Department  
PO Box 11263  
Columbia SC 29211

  
\_\_\_\_\_  
Carol Roof

May 16, 2005  
Columbia, South Carolina

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**BEFORE THE  
SOUTH CAROLINA PUBLIC SERVICE COMMISSION  
DOCKET NO. 2005-57-C**

<b>In the Matter of</b>	)	
	)	
<b>Joint Petition for Arbitration of</b>	)	
	)	
<b>NEWSOUTH COMMUNICATIONS CORP.,</b>	)	
<b>NUVOX COMMUNICATIONS, INC.</b>	)	
<b>KMC TELECOM V, INC., KMC TELECOM</b>	)	
<b>III LLC, and XSPEDIUS COMMUNICATIONS,</b>	)	<b>VERIFIED APPLICATION FOR</b>
<b>LLC on Behalf of its Operating</b>	)	<b>ADMISSION <i>PRO HAC VICE</i></b>
<b>Subsidiaries XSPEDIUS MANAGEMENT CO.</b>	)	<b>IN THE STATE OF SOUTH</b>
<b>SWITCHED SERVICES, LLC, XSPEDIUS</b>	)	<b>CAROLINA</b>
<b>MANAGEMENT CO. OF CHARLESTON, LLC,</b>	)	
<b>XSPEDIUS MANAGEMENT CO. OF</b>	)	
<b>COLUMBIA, LLC, XSPEDIUS</b>	)	
<b>MANAGEMENT CO. OF GREENVILLE,</b>	)	
<b>LLC, and XSPEDIUS MANAGEMENT CO.</b>	)	
<b>OF SPARTANBURG, LLC</b>	)	
	)	
<b>Of an Interconnection Agreement with</b>	)	
<b>BellSouth Telecommunications, Inc.</b>	)	
<b>Pursuant to Section 252(b) of the</b>	)	
<b>Communications Act of 1934, as</b>	)	
<b>Amended</b>	)	

Comes now Garret R. Hargrave, applicant herein, and respectfully represents the following:

1. Applicant resides at **2905 Q Street, N.W., Washington, D.C. 20007 (telephone: 202-337-5796)**
2. Applicant is an attorney with the law firm of (or practices law under the name of) **Kelley Drye & Warren LLP, with offices located at 1200 19<sup>th</sup> Street, N.W., Suite 500 Washington, D.C. 20036 (telephone: 202-955-9600).**
3. Applicant has been retained personally or as a member of the above named law firm by to provide legal representation in connection with the above case now pending before the Public Service Commission of South Carolina.
4. Since September of 2002, applicant has been, and presently is, a member in good standing of the bar of the highest court of the **District of Columbia** where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

<u>Court:</u>	<u>Date Admitted:</u>
<b>Supreme Court of Indiana</b>	<b>06/01</b>
<b>U.S. District Court for S. District of Indiana</b>	<b>06/01</b>
<b>U.S. District Court for N. District of Indiana</b>	<b>06/01</b>
<b>U.S. Court of Appeals, D.C. Circuit</b>	<b>06/03</b>
<b>U.S. District Court for the District of Columbia</b>	<b>06/03</b>

6. Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:

**N/A**

7. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

**N/A**

8. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

**N/A**

9. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

**N/A**

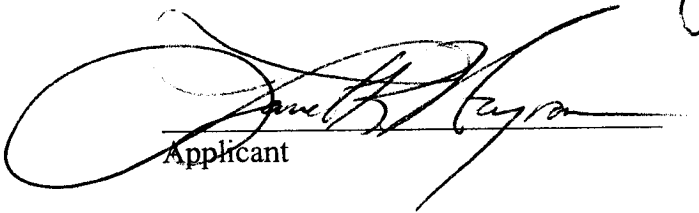
10. Local counsel of record associated with applicant in this case is **John J. Pringle, of Ellis, Lawhorne & Sims, P.A. located at 1501 Main Street, 5<sup>th</sup> Floor, P.O. Box 2285, Columbia, SC 29202 (telephone: 803-254-4190)**

11. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases(give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

N/A

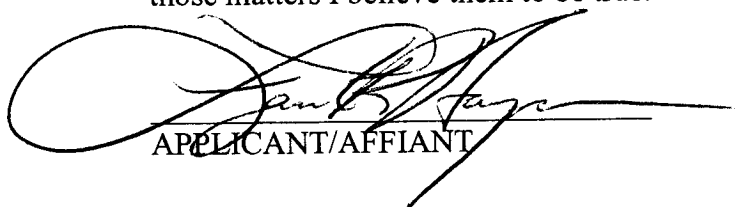
12. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.
12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 9<sup>th</sup> day of May, 2005.

  
Applicant

VERIFICATION


I, Garret R. Hargrave, do hereby swear or affirm under penalty of perjury that I am ~~the~~ applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 9<sup>th</sup> day of  
May, 2005.

Sheila R. Carroll

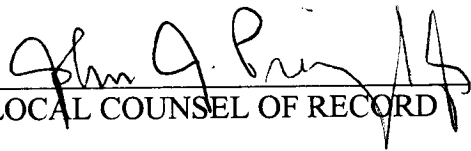
Notary Public for the District of Columbia

My Commission Expires:  **SHEILA R. CARROLL**  
Notary Public of District of Columbia  
My Commission Expires April 14, 2007

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 16th day of May, 2005

  
LOCAL COUNSEL OF RECORD

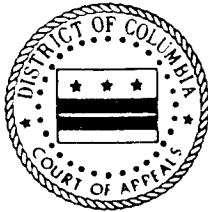
**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$100 filing fee payable to the South Carolina Supreme Court on this

16<sup>th</sup> day of May, 2005.

Carole Roof





District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia  
Court of Appeals, do hereby certify that

GARRET ROSS HARGRAVE

---

was on the 13<sup>TH</sup> day of SEPTEMBER, 2002

duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on March  
9, 2005.

GARLAND PINKSTON, JR., CLERK

By: \_\_\_\_\_

*G. Jackson*  
Deputy Clerk

**BEFORE THE  
SOUTH CAROLINA PUBLIC SERVICE COMMISSION  
DOCKET NO. 2005-57-C**

<b>In the Matter of</b>	)	
	)	
<b>Joint Petition for Arbitration of</b>	)	
	)	
<b>NEWSOUTH COMMUNICATIONS CORP.,</b>	)	
<b>NUVOX COMMUNICATIONS, INC.</b>	)	
<b>KMC TELECOM V, INC., KMC TELECOM</b>	)	
<b>III LLC, and XSPEDIUS COMMUNICATIONS,</b>	)	<b>VERIFIED APPLICATION FOR</b>
<b>LLC on Behalf of its Operating</b>	)	<b>ADMISSION <i>PRO HAC VICE</i></b>
<b>Subsidiaries XSPEDIUS MANAGEMENT CO.</b>	)	<b>IN THE STATE OF SOUTH</b>
<b>SWITCHED SERVICES, LLC, XSPEDIUS</b>	)	<b>CAROLINA</b>
<b>MANAGEMENT CO. OF CHARLESTON, LLC,</b>	)	
<b>XSPEDIUS MANAGEMENT CO. OF</b>	)	
<b>COLUMBIA, LLC, XSPEDIUS</b>	)	
<b>MANAGEMENT CO. OF GREENVILLE,</b>	)	
<b>LLC, and XSPEDIUS MANAGEMENT CO.</b>	)	
<b>OF SPARTANBURG, LLC</b>	)	
	)	
<b>Of an Interconnection Agreement with</b>	)	
<b>BellSouth Telecommunications, Inc.</b>	)	
<b>Pursuant to Section 252(b) of the</b>	)	
<b>Communications Act of 1934, as</b>	)	
<b>Amended</b>	)	

Comes now John J. Heitmann, applicant herein, and respectfully represents the following:

1. Applicant resides at **1781 Clovermeadow Drive, Vienna, Virginia, 22182 (telephone: 703-295-8625)**
2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) **Kelley Drye & Warren LLP, with offices located at 1200 19<sup>th</sup> Street, N.W., Suite 500 Washington, D.C. 20036 (telephone: 202-955-9600).**
3. Applicant has been retained personally or as a member of the above named law firm by to provide legal representation in connection with the above case now pending before the Public Service Commission of South Carolina.
4. Since December of 1996, applicant has been, and presently is, a member in good standing of the bar of the highest court of the **District of Columbia** where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

<u>Court:</u>	<u>Date Admitted:</u>
New York – Third Department	10/95
U.S. Court of Appeals, D.C. Circuit	06/98

6. Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:

N/A

7. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

N/A

8. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

N/A

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N/A

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12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 10<sup>th</sup> day of May, 2005.

John F. Heitmann  
Applicant

# VERIFICATION

I, John J. Hartmann, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

John J. Hartmann  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 10<sup>th</sup> day of  
May, 2005.

Touan E. Merib

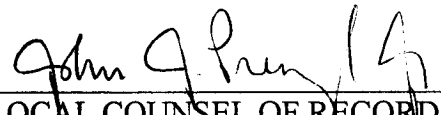
Notary Public for the District of Columbia

My Commission Expires: My Commission Expires June 30, 2009

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

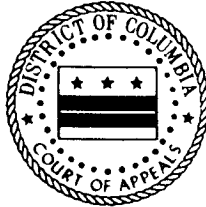
DATED this 16th day of May, 2005.

  
LOCAL COUNSEL OF RECORD

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$100 filing fee payable to the South Carolina Supreme Court on this 16th day of May, 2005.

Carol Roof



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

JOHN J. HEITMANN


---

was on the 2<sup>ND</sup> day of DECEMBER, 1996

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on April 22, 2005.

GARLAND PINKSTON, JR., CLERK

By:   
Deputy Clerk